

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Honorable Arthur S. Weissbrodt

Tuesday, July 23, 2013

Current as of 7/22/2013 at 4:14 PM

San Jose Courtroom 3020

U.S. Courthouse and Federal Bldg.

**280 S 1st Street
San Jose, CA 95113**

2:30 PM **10-52621** Alberto D. Lao and
Ch 13 Estelita A. Lao
Trustee: Derham-Burk

Moving: Dean R. Prober

Opposing:

Debtor or Plaintiff Attorney: Dean Lloyd

Matter: **a) Hearing Re: Objection to Confirmation of Plan Filed by U.S. Bank, N.A. (41)**

b) Opposition filed by Debtors

2:30 PM **10-59730** Dung Anh Nguyen
Ch 13
Trustee: Derham-Burk

Moving: Benjamin Nachimson

Opposing:

Debtor or Plaintiff Attorney: Stanley Phan

Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Bank Of America, N.A. (20)**

2:30 PM **10-61786** Charlene Anderson
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Elaine Honjas

Matter: **Hearing re: Objection to Confirmation of Chapter 13 Plan by Hitachi America, LTD (14)**

***OBJECTION WITHDRAWN 7/16/13**

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2:30 PM **11-51984** Tu Quoc Tran and
Ch 13 Natalie T. Tran
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Michael Chinh Vu

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Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Bank of the West (43)**

Atty for Creditor - Emard

2:30 PM **11-58417** Roger Silveira and
Ch 13 Maria H. Silveira
Trustee: Derham-Burk

Moving: Jonathan J. Damen

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

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Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Bank of America National Association (15)**

2:30 PM **12-54627** Victor Severo Jimenez, Sr. and
Ch 13 Shelley L. Jimenez
Trustee: Derham-Burk

Moving: Rami N. Haddad

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **a) Hearing Re: Objection to Confirmation of Plan Filed by Bank of America, N.A. (33)**

b) Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (51)

2:30 PM **12-57930** David Edward Waller and
Ch 13 Kristine DeForest Waller
Trustee: Derham-Burk

Moving: Vincent V. Frounjian

Opposing:

Debtor or Plaintiff Attorney: Judson T. Farley

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Matter: **Hearing Re: Objection to Confirmation of Plan Filed by American Honda Finance Corporation (14)**

Atty for Creditor - Frounjian

2:30 PM **12-58682** Teresita P Gerona
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Marc Voisenat

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Matter: **Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan by Devin Derham-Burk (37)**

2:30 PM **13-51203** Tutankhamun Akinsheye Addae
Ch 13
Trustee: Derham-Burk

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **Hearing Re: Objection to Confirmation of Plan Filed by Wells Fargo Bank, N.A. (14)**

2:30 PM **13-51600** Justin Low
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Stanley A. Zlotoff

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Matter: **Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (16)**

2:30 PM **13-52016** Kevin Paul Capps and
Ch 13 Jennifer Capps
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **Hearing Re: Amended Objection to Confirmation of Chapter 13 Plan Filed by Trustee (18)**

2:30 PM **09-59548** Duane Anthony Jones and
Ch 13 Suzellen Angela Jones
Trustee: Derham-Burk

Moving: Scott J. Sagaria

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

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Matter: **Motion For Contempt and Other Sanctions Filed by Debtors (112)**

***TO BE RE-NOTICED**

2:30 PM **10-59474** Joseph Luis Garza
Ch 13
Trustee: Derham-Burk

Moving: Brette L. Evans

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

13

Matter: **a) Amended Motion to Modify Plan Filed by Joseph Garza (72)**

b) Objection by Trustee

2:30 PM **10-62932** Bryan Bradley Shisler
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Nancy Weng

14

Matter: **a) Motion to Dismiss Case Filed by Devin Derham-Burk (52)**

b) Opposition by Debtor

2:30 PM **11-50064** Daymon M. Ferguson and
Ch 13 Alana Beth Ferguson
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Daymon Ferguson

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Matter: **a) Motion to Dismiss Case Filed by Devin Derham-Burk (55)**

b) Opposition Filed by Debtors

NON-OPPOSITION FILED BY DEBTORS

OFF CALENDAR

2:30 PM **11-51095** Gemma M Neves and
Ch 13 Mark D Neves
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Sidney C. Flores

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Matter: **a) Motion to Dismiss Case Filed by Devin Derham-Burk (52)**

b) Opposition by Debtors

c) Motion to Review Fees of Flores and Barrios Filed by Devin Derham-Burk (54)

d) Opposition by Debtors

2:30 PM **11-51589** David Rosas and
Ch 13 Anna Rosas
Trustee: Derham-Burk

Moving: Scott J. Sagaria

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

Matter: **Motion For Contempt and Other Sanctions Filed by Debtors (32)**

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***TO BE RE-NOTICED**

2:30 PM **11-58803** Tom James Van Leer
Ch 13
Trustee: Derham-Burk

Moving:

Opposing:

Debtor or Plaintiff Attorney: Brette L. Evans

Matter: **Motion to Dismiss Case for Failure to Make Plan Payments Filed by Trustee (41)**

18

2:30 PM **11-60003** Alexander Ranada Lucas and
Ch 13 Ercy Pagala Lucas
Trustee: Derham-Burk

Moving: Jason Honaker

Opposing:

Debtor or Plaintiff Attorney: Jason Honaker

Matter: **Application for Compensation by Debtors Counsel**

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Applicant: Jason Honaker

Fee \$7,361.50

Expense: \$0.00

***WITHDRAWN 6/14/13**

2:30 PM **11-60512** Tammy Lee Corona-Blevins
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

Matter: **Motion to Void and Strip Lien with The Bank of New York Mellon Filed by Tammy Corona-Blevins (54)**

20

Comment ****TENTATIVELY APPROVED****

2:30 PM **11-60653** Sally A. Zuniga
Ch 13
Trustee: Derham-Burk
Moving: Charles B. Greene
Opposing:
Debtor or Plaintiff Attorney: Charles B. Greene

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Matter: **a) Motion to Incur Debt Filed by Sally Zuniga (40)**
b) Objection by Ch. 13 Trustee

2:30 PM **11-60725** Jose Humberto Salazar
Ch 13
Trustee: Derham-Burk
Moving: Scott J. Sagaria
Opposing:
Debtor or Plaintiff Attorney: Scott J. Sagaria

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Matter: **Motion For Contempt and Other Sanctions Filed by Jose Salazar (29)**
***TO BE RE-NOTICED**

2:30 PM **11-60926** John Sanchez and
Ch 13 Elizabeth Rose Sanchez
Trustee: Derham-Burk
Moving: Elliot Gale
Opposing:
Debtor or Plaintiff Attorney: Elliot Gale

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Matter: **Motion For Contempt and Other Sanctions Filed by Debtors (29)**
***TO BE RE-NOTICED**

2:30 PM **12-51193** Jose Cruz Sole
Ch 13
Trustee: Derham-Burk
Moving: Brette L. Evans
Opposing:
Debtor or Plaintiff Attorney: Brette L. Evans

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Matter: **Application for Compensation by Counsel for Debtor (59)**
Applicant - Brette Evans
Fees: \$7,755.90
Expenses: \$111.40

2:30 PM 12-51469 Emily Roy Kessler
Ch 13
Trustee: Derham-Burk
Moving: Elise M. Mitchell
Opposing:
Debtor or Plaintiff Attorney: Elise M. Mitchell

25

Matter: Motion to Withdraw as Attorney for debtor Filed by Elise M. Mitchell (33)

2:30 PM 12-52302 Reginald Simmons and
Ch 13 Ayana Nataki Best-Simmons
Trustee: Derham-Burk
Moving: Scott J. Sagaria
Opposing:
Debtor or Plaintiff Attorney: Scott J. Sagaria

26

Matter: Motion to Dismiss Case Filed by Debtors (48)

2:30 PM 12-52500 John Foster
Ch 13
Trustee: Derham-Burk
Moving: Ryan F. Thomas
Opposing:
Debtor or Plaintiff Attorney: Drew Henwood

27

Matter: a) Motion to Determine Value and Status of Junior Lien Holder SAFE-BIDCO's Claim Filed by Debtor (15)

b) Objection by SAFE BIDCO

Atty for Creditor - Ryan Thomas

2:30 PM 12-53073 David Ovidio Caballero
Ch 13
Trustee: Derham-Burk
Moving: Nanette Dumas
Opposing:
Debtor or Plaintiff Attorney: David S. Henshaw

28

Matter: Motion to Dismiss Case (PRE-CONFIRMATION)
PURSUANT TO 11 U.S.C. §1307(c) Filed by Devin Derham-Burk (28)

2:30 PM **12-53685** Ryan Avery Coburn and
Ch 13 Allison Jean Boyle
Trustee: Derham-Burk

Moving: Norma L. Hammes

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

Matter: **Motion FOR ORDER ALLOWING FINANCING OF REAL PROPERTY Filed by Debtors (30)**

***STMT OF NON-OPP FLD BY TRUSTEE 7/9/13**

Comment ****TENTATIVELY APPROVED****

29

2:30 PM **12-54526** John Saia
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: John A. Varley

Matter: **a) MOTION TO DISMISS PRE-CONFIRMATION PURSUANT TO 11 U.S.C. §1307(c) Filed by Devin Derham-Burk (48)**

b) Joinder in Motion filed by DDI Investments, LLC

Atty for Creditor - McEvoy

30

2:30 PM **12-54988** Manuel Alcaraz
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (39)**

31

2:30 PM **12-55846** Bozena Zofia Maslanka
Ch 13
Trustee: Derham-Burk

Moving: Yelena Gurevich

Opposing:

Debtor or Plaintiff Attorney: Yelena Gurevich

Matter: **Motion to Disallow Proof of Claim #02 In Part Filed by Bozena Maslanka (43)**

32

2:30 PM **12-56390** Timothy Edward Hlebo
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

33

Matter: **Motion to Void and Strip Lien with Chase Home Finance/JPMorgan Chase Bank, N.A. Filed by Timothy Hlebo (37)**

Comment ****TENTATIVELY APPROVED****

2:30 PM **12-56566** Victoria P. Magana
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Montgomery S. Pisano

34

Matter: **Motion to Dismiss Case Pursuant to 11 U.S.C. § 109(e) Filed by Devin Derham-Burk (35)**

2:30 PM **12-56674** Farnaz Farahani
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: Timothy L. McCandless

35

Matter: **Motion By Trustee For Clarification of Order to Reinstate and Set Aside Dismissal (Re: 85 Order) Filed by Devin Derham-Burk (88)**

2:30 PM **12-56829** Quynh Ho Van Mac
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

36

Matter: **Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (71)**

2:30 PM **12-05213** Blackwell v. JP Morgan Chase Bank N.A. et al
† Ch 13
12-57109 Kenneth Blackwell

Moving: Juliette McCullough

Opposing:

Debtor or Plaintiff Attorney: Christopher P. Epsa

37

Matter: **a) Motion to Dismiss Adversary Proceeding Filed by Deborah Brignac, California Reconveyance Company, JP Morgan Chase Bank N.A. (5)**

Atty for Defs - McCullough

b) Opposition by Kenneth G. Blackwell

Atty for Pl - Epsa

CONTINUED TO 9/16/13 AT 2:15PM PER THE ORDER SIGNED ON 7/22/13

2:30 PM **12-05223** Blackwell v. JP Morgan Chase Bank, N.A. et al
† Ch 13
12-57115 Kathleen Blackwell

Moving: Juliette McCullough

Opposing:

Debtor or Plaintiff Attorney: Christopher P. Epsa

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Matter: **a) Motion to Dismiss Adversary Proceeding Filed by California Reconveyance Company, Deborah Brignac, JP Morgan Chase Bank, N.A. (4)**

Atty for Defs - McCullough

b) Opposition by Kathleen Blackwell

Atty for Pl - Epsa

CONTINUED TO 9/16/13 AT 2:15PM PER THE ORDER SIGNED ON 7/22/13

2:30 PM **12-58059** John Hsu
Ch 13
Trustee: Derham-Burk

Moving: Scott J. Sagaria

Opposing:

Debtor or Plaintiff Attorney: Scott J. Sagaria

39

Matter: **Motion For Contempt and other sanctions Filed by John Hsu (28)**

2:30 PM	12-58061	Stephen Daniel Vranich and Ch 13 Trustee: Derham-Burk	
Moving:	David A. Boone		
Opposing:			
Debtor or Plaintiff Attorney:	David A. Boone		40
Matter:	a) Motion to Avoid Lien with Wells Fargo Bank, N.A. Filed by Debtors (24)		
	b) Objection by Wells Fargo Bank, N.A.		
	Atty for Creditor - Austin Nagel		
<hr/>			
2:30 PM	12-58084	Joseph F. Raya, Jr. and Ch 13 Trustee: Derham-Burk	
Moving:	Nanette Dumas		
Opposing:			
Debtor or Plaintiff Attorney:	Charles B. Greene		41
Matter:	a) Motion to Dismiss Case Filed by Devin Derham-Burk (24)		
	b) Opposition filed by Debtors		
<hr/>			
2:30 PM	12-58154	Nigel Sidney Washington Ch 13 Trustee: Derham-Burk	
Moving:	Devin L. Pace		
Opposing:			
Debtor or Plaintiff Attorney:	ProSe / None		42
Matter:	Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Sec. 1307(c)(1) Filed by Devin Derham-Burk (33)		
<hr/>			
2:30 PM	12-58221	Kathryn Bailey Ch 13 Trustee: Derham-Burk	
Moving:	Nanette Dumas		
Opposing:			
Debtor or Plaintiff Attorney:	Gary Paul		43
Matter:	a) Motion to Dismiss Case Filed by Devin Derham-Burk (34)		
	b) Opposition filed by Debtor		

2:30 PM **12-58421** David Albazi
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

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Matter: **Motion to Dismiss Case Pursuant to 11 U.S.C. Secs. 109(h), 521(b) and 1307(c) Filed by Devin Derham-Burk (43)**

2:30 PM **12-58816** Minhtam C. Ha
Ch 13
Trustee: Derham-Burk

Moving: Devin L. Pace

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

45

Matter: **a) Motion to Dismiss Case Pre-Confirmation Pursuant to 11 U.S.C. Secs. 1307(c) and 109(e) Filed by Devin Derham-Burk (87)**

b) Opposition by Debtor

CONTINUED PRIOR TO HEARING TO 9/16/13 AT 2:15PM

2:30 PM **13-50029** Edward Armenta, Jr.
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: Eddy Hsu

46

Matter: **a) MOTION TO DISMISS CASE PURSUANT TO 11 U.S.C. § 109(e) Filed by Devin Derham-Burk (42)**

b) Opposition filed by Debtor

***MOTION WITHDRAWN 7/16/13**

2:30 PM **13-50568** Eric C Phillips
Ch 13
Trustee: Derham-Burk

Moving: Eric C Phillips

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

47

Matter: **Motion to Impose Automatic Stay Filed by Eric Phillips (14)**

2:30 PM **13-05075** Chen v. Saxon Mortgage et al
† Ch 13
13-51476 John H. Chen

Moving: Joshua Scheer

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

48

Matter: **Motion to Dismiss Adversary Proceeding Complaint Filed by BSI Financial Services, Inc., a California Corporation (6)**

2:30 PM **13-51476** John H. Chen
Ch 13
Trustee: Derham-Burk

Moving: Devin Derham-Burk

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

49

Matter: **Motion to Dismiss Case for Failure to File Documents Under Section 521(i) Filed by Devin Derham-Burk (22)**

2:30 PM **13-51737** To-Quyen Thi Nguyen
Ch 13
Trustee: Derham-Burk

Moving: Nanette Dumas

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

50

Matter: **Motion to Dismiss Case Filed by Devin Derham-Burk (28)**

2:30 PM **13-52640** Baltazar Barron
Ch 13
Trustee: Derham-Burk

Moving: David A. Boone

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

51

Matter: **Motion to Void and Strip Lien with Green Tree Servicing LLC/Mortgage Electronic Registration Systems ("MERS") as Nominee for RBS Citizens, N.A. Filed by Baltazar Barron (11)**

Comment ****TENTATIVELY APPROVED****

2:30 PM **13-52907** Dianna Gallegos
Ch 13
Trustee: Derham-Burk

Moving: Michael K. Mehr

Opposing:

Debtor or Plaintiff Attorney: Michael K. Mehr

52

Matter: **Motion to Extend Automatic Stay Filed by Dianna Gallegos (18)**

***Order shortening time**

2:30 PM 11-54235 Arturo Ledesma and
Ch 12 Maria Garcia
Trustee: Enmark

Moving: Effie F. Anastassiou

Opposing:

Debtor or Plaintiff Attorney: Judson T. Farley

53

Matter: a) Motion to Dismiss Case Filed by California Coastal Rural Development Corporation (31)

b) Opposition by Debtor

c) Objection to Confirmation of First Amended Chapter 12 Plan by California Coastal Rural Development Corporation

d) Joinder in (a) and (c) by Trustee M. Nelson Enmark

2:30 PM 12-54454 Yong Chull Kim
Ch 13
Trustee: Derham-Burk

Moving: H. Kenneth Ahn

Opposing:

Debtor or Plaintiff Attorney: H. Kenneth Ahn

54

Matter: Amended Motion for Sale of Property Filed by Yong Kim (66)

shortened time
